

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

COUNSEL HOLDINGS, INC.

Plaintiff,

v.

EVAN P. JOWERS, JOWERS
VARGAS LLC, JOWERS LANGER
LLC, AND LEGIS VENTURES (HK)
COMPANY LIMITED

Defendants

Civil Action No 1:23-CV-711

PLAINTIFF'S APPLICATION FOR CLERK'S ENTRY OF DEFAULT
AGAINST DEFENDANT JOWERS VARGAS LLC

Pursuant to Federal Rule of Civil Procedure 55(a), Counsel Holdings, Inc. ("**Counsel**") respectfully requests that the Clerk enter default against Defendant Jowers Vargas LLC and in support states:

1. Defendant Jowers Vargas LLC ("**Jowers Vargas**") was properly served with a copy of Plaintiff's complaint and summons on November 30, 2023. (Dkt. 19). Service was proper under the Court's Order dated November 21, 2023, regarding substituted service.
2. Jowers Vargas was required to file responsive pleadings within 21 days of being served, which was on December 21, 2023. To date, Jowers Vargas has not filed an answer or other responsive pleading, nor has it requested additional time to do so. (See **Exhibit 1**, REK Decl., at ¶4).

Accordingly, the Clerk should enter default against Jowers Vargas.

Dated: February 3, 2024

Respectfully Submitted,

/s/ Robert E. Kinney

Robert E. Kinney

Texas State Bar No. 00796888

Robert@KinneyPC.com

Robert E. Kinney

824 West 10th Street, Suite 200

Austin, Texas 78701

Tel: (512) 636-1395

Raymond W. Mort, III

Texas State Bar No. 00791308

raymort@austinlaw.com

THE MORT LAW FIRM, PLLC

501 Congress Ave, Suite 150

Austin, Texas 78701

Tel/Fax: (512) 865-7950

ATTORNEYS FOR PLAINTIFF